

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

GEORGE EDWARD PURDY §
VS. § CIVIL ACTION NO. 1:21cv591
AARON J. TOMPKINS, ET AL. §

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Geroge Edward Purdy, an inmate at the LeBlanc Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, brought the above-styled lawsuit.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends the action be dismissed with prejudice for failing to state a claim upon which relief may be granted. Additionally, the magistrate judge recommended declining the exercise of supplemental jurisdiction.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. Plaintiff filed objections to the Magistrate Judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

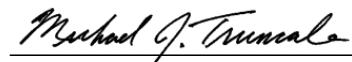
After careful consideration, the court concludes plaintiff's objections are without merit. Plaintiff's allegations amount to no more than a disagreement with medical professionals, medical malpractice, or negligence. Plaintiff's claims do not rise to the level of egregious intentional

conduct as required to state a claim for deliberate indifference under the Eighth Amendment. *See Gobert v. Caldwell*, 463 F.3d 339, 351 (5th Cir. 2006).

O R D E R

Accordingly, plaintiff's objections are OVERRULED. The findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is ADOPTED. The exercise of supplemental jurisdiction is DECLINED. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED this 11th day of March, 2025.



Michael J. Truncale
United States District Judge